



EUROPEAN COMMISSION

Directorate-General for Trade

Directorate F - WTO, Legal Affairs and Trade in Goods
Dispute Settlement and Legal Aspects of Trade Policy

F.2/[REDACTED] (2018) 5136794

**Subject: Meeting with CCBE (Council of Bars and Law Societies of Europe)
International legal Services Committee meeting (29 June 2017)**

Participants

[REDACTED] (COM TRADE F2)
[REDACTED] and other members (CCBE)

Summary

[REDACTED]
[REDACTED]
[REDACTED] [Out of scope]
[REDACTED]
[REDACTED]

COM touched upon the rationale of the multilateral investment court project and the need for a public law-type system for the resolution of international investment disputes at the multilateral level. It briefly recalled the work that the COM has been conducting both EU internally (Impact Assessment process) and externally (exploratory talks with third countries). This process is at a very early stage although the United Nations Commission on International Trade Law (UNCITRAL) is set to decide on 10 July 2017 whether it should conduct further work on the reform of investment dispute settlement mechanisms. COM motivated why such discussions could not at this moment in time be conducted in other international organisations.

Members of the **CCBE** raised questions on the substance of the multilateral investment court project including on its budgetary implications and the selection process of adjudicators, which the COM has started to consider in the Impact Assessment and continues to explore. The possibility to require exhaustion of local remedies was also raised, although COM clarified that it does not form part of its preferred approach. Other questions were asked concerning the venue and languages of the permanent court.

The CCBE stressed its interest in supporting the COM and being involved in the ongoing work on several aspects of the ICS and multilateral investment court.

C.c.: [REDACTED]
[REDACTED]